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*T.R.*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/413,105 10/06/99 MARTIN

J 5253-02500

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EXAMINER

SHAH, S

ART UNIT

PAPER NUMBER

2172

DATE MAILED:

10/22/01

*3*

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

*GM*

# Office Action Summary

Application No.  
09/413,105

Applicant(s)  
Martin Jr. et al.

Examiner  
Sanjiv Shah

Art Unit  
2172



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Oct 6, 1999

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-52 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-5, 10, 11, 17-22, 27, 28, 34-39, 44, 45, 51, and 52 is/are rejected.

7) ☒ Claim(s) 6-9, 12-16, 23-26, 29-33, 40-43, and 46-50 is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☒ Notice of References Cited (PTO-892) ✓

16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) ✓

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2

18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

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*Specification*

1. The abstract of the disclosure is objected to because it contains more than one paragraph.

Abstract must be single paragraph. Correction is required. See MPEP § 608.01(b).

*Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 10-11, 17-22, 27-28, 34-39, 44-45 and 51-52 are rejected under 35

U.S.C. 103(a) as being unpatentable over Koeppen (Patent # 5,761,667).

Regarding claim 1, 17, 18, 34, 35, 51 and 52, Koeppen teaches the method of accessing the IMS database as shown in fig 4A and described in col. 4, lines 40-43.

Reading blocks from IMS database sequentially is shown in fig 4A and described in col. 5, lines 5-10.

Each of the blocks comprising zero or more segments is shown in fig 4A. and described in col. 6, lines 24-25.

De-blocking the segments is shown in fig 4A, wherein fragmented data is defragmented.

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Koeppen does not specifically teach storing the segment in a segment array as claimed. However it teaches a unfragmented data stored in IMS database as shown in fig 4A which is equivalent to the segment array as claimed. storing the data in segment array is well known in the art. Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to replace the datastore with segment array because it aids in storing various segments sequentially.

Regarding claims 2, 19, 36, Koeppen teaches the claimed invention of storing the segment in an indexed order as described in col. 6, lines 35-40. Since the segment data is accessed, it is obvious that Koeppen implicitly teaches a lookup table.

Regarding claim 3, 10, 11, 20, 27, 28, 37, 44 and 45, Koeppen teaches the claimed invention of accessing root segments and other segments (which can be interpreted as child segments) as described in col. 6, lines 23-30.

Regarding claims 4, 21, 38, Koeppen teaches a method of storing the data in IMS database as shown in fig 4A.

Regarding claims 5, 22, 39, Koeppen teaches the claimed invention of pair of key value and location value as described in col. 6, lines 36-50.

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*Allowable Subject Matter*

4. Claims 6-9, 12-16, 23-26, 29-33, 40-43, 46-50, objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv Shah whose telephone number is (703) 305-8355.

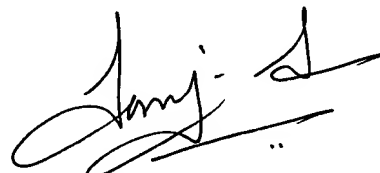
The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Yen Vu can be reached at (703) 305-4393. The fax number for this group is (703) 308-5403.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-9600.

Sanjiv Shah

October 18, 2001



SANJIV SHAH  
A.U. 2172